UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/773,949	02/01/2001	Hans-Erich Reinfelder	P96,0463 01	9129

26574   7590   04/13/2004

SCHIFF HARDIN, LLP
PATENT DEPARTMENT
6600 SEARS TOWER
CHICAGO, IL 60606-6473

EXAMINER
GREENE, DANIEL L

ART UNIT	PAPER NUMBER
3621	

DATE MAILED: 04/13/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/773,949	REINFELDER ET AL.
	Examiner	Art Unit
	Daniel L. Greene	3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _01 February 2001_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-18_ is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-18_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _8_.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 101

1.   35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

.   Claims 1-18 are rejected under 35 U.S.C. 101, because they fail to recite statutory subject matter.

A review of the disclosure does not show a practical application within the technical arts. The claims are directed to an objected oriented computing system on a computer platform.

An evaluation of the steps does not show that the process performs independent physical acts. The process steps of "components with semantic-less, dynamically connectable inputs and outputs;" and "an event communication framework providing automated, pattern-based, fully distributable events", are not sufficient to meet the requirements of physical acts, because they are firmly rooted in an abstract idea. Moreover, none of these claims affirmatively recite physical transformations occurring within a computer system. In this regard, the claims merely manipulate and abstract idea without any limitation to a practical application within the technological arts.

Claim Rejections - 35 USC § 112

6.   Claims 1-18 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to enable one skilled in the art to

which it pertains, or with which it is most nearly connected, to make and/or use the

invention. The objects with semantic-less, event communication framework, the inputs,

the outputs, and the data structure of the above-mentioned features, that are critical or

essential to the practice of the invention, (not included in the claims) is not enabled by

the disclosure. See In re Mayhew, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

As to claim 1:

Foody et al discloses:

"objects with semantic-less" (see col. 12, lines 32-36); "dynamically linkable inputs and outputs" (see col. I, lines 60-67; see col. 2, lines 1-S; see col. 10, lines 39-49); "an event communication framework providing automated, pattern-based, fully distributable events" (see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it inherent that events specifies the operations to be performed on an object and object systems have application programs that communicate with their contained objects and abide by certain input and output rules.

As to claim 2:

Foody et al further discloses:

"wherein the inputs and outputs of the objects are provided via CsaConnectable and CsaRemote objects, respectively." (see col. 10, lines 44-48). One having the ordinary skill in the art at the time of the invention would have found it inherent in that object systems abiding by input and output rules have application programs that name the file information at the beginning of a program.

As to claim 3:

Foody et al further discloses:

"wherein each data structure associated with the inputs and outputs is described in a separate header file which can be used by every object to be linked" (see col. 10, lines 44-49).

As to claim 4:

Foody et al further discloses:

"wherein each object is a shared library which is dynamically linkable at runtime by an ASCII configuration filing names of the inputs and outputs of the objects" (see col. 15, lines 41-60; see col. 19, lines 17-25; see col. 19, lines. 8-15).

As to claim 5:

Foody et al discloses:

"objects having dynamically linkable inputs and outputs and internal tasks for queuing of data transferred into and out from the objects via said inputs and outputs, respectively" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49);

"an event communication framework providing automated, pattern-based, fully distributable events"(see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it inherent in that events specifies the operations to be performed on an object and

object systems have application programs that communicate with their contained

objects and abide by certain input and output rules.

As to claim 6:

Foody et al further discloses:

"wherein the inputs and outputs of the objects are provided via CsaConnectable

and CsaRemote objects, respectively." (see col. 10, lines 44-48). One having the

ordinary skill in the art at the time of the invention would have found it inherent in that

object systems abiding by input and output rules have application programs that name

the file information at the beginning of a program.

As to claim 7:

Foody et al further discloses;

"wherein each data structure associated with the inputs and outputs is described

in a separate header file which can be used by every object to be linked." (see col. 10,

lines 44-49).

As to claim 8:

Foody et al further discloses:

"wherein each object is a shared library which is dynamically linkable at runtime

by an ASCII configuration file containing names of the inputs and outputs of the objects"

(see col. 15, lines 41-60; see col. 19, lines 17-25; see col. 19, lines 8-15).

As to claim 9:

Foody et al discloses "defining input and output events that are fully

distributable" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49);

"configuring dynamic linkable, semantic-free components by input and output

connection points" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49;

see col. 12, lines 32-36); "providing auto routed pattern based fully distributable events

based on an event communication framework" (see Figure 2, an overview of the system

architecture in accordance with preferred embodiment of the invention; see col. 8; lines

66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the

invention would have found it inherent in that events specifies the operations to be

performed on an object.

As to claim 10:

Foody et al discloses:

"objects with semantic-less dynamically linkable inputs and outputs" (see col. I,

lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49; see col. 12, lines 32-36); "an

event communication framework providing automated, pattern-based, fully distributable

events"(see Figure 2, an overview of the system architecture in accordance with

preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27).

One having the ordinary skill in the art at the time of the invention would have found it

inherent in that events specifies the operations to be performed on an object and object

systems have application programs that communicate with their contained objects and

abide by certain input and output rules.

As to claim 11:

Foody et al further discloses:

"wherein the inputs and outputs of the objects are provided CsaConnectable and

CsaRemote objects, respectively." (see col. 10, lines 44-48).One having the ordinary

skill in the art at the time of the invention would have found it inherent in that object

systems abiding by input and output rules have application programs that name the file

information at the beginning of a program.

As to claim 12:

Foody et al further discloses:

"wherein each data structure associated with the inputs and outputs is describe

in a separate header file which can be used by every object to be linked" (see col. 10,

lines 44-49).

As to claim 13:

Foody et al further discloses:

"wherein each object is a shared library which is dynamically linkable at runtime

by an ASCII configuration filing names of the inputs and outputs of the objects" (see col.

15, lines 41-60; see col. 19, lines 17-25; see col. 19, lines 8-15).

As to claim 14:

Foody et al discloses :

"object oriented code for an object orientated computing system on a computing

system" (see col. I, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49; see col.

12, lines 32-36);

"objects having dynamically linkable inputs and outputs and internal tasks for

queuing of data transferred into and out from the objects via said inputs and outputs"

(see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49);

"an event communication framework providing automated, patter-based, fully

distributable events" (see Figure 2, an overview of the system architecture in

accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col.

9, lines 1-27). One having the ordinary skill in the art at the time of the invention would

have found it inherent in that events specifies the operations to be performed on an

object and object systems have application programs that communicate with their

contained objects and abide by certain input and output rules.

As to claim 15:

Foody et al further discloses:

"wherein the inputs and outputs of the objects are provided via CsaConnectable

and CsaRemote objects, respectively." (see col. 10, lines 44-48).One having the

ordinary skill in the art at the time of the invention would have found it inherent in that

object systems abiding by input and output rules have application programs that name

the file information at the beginning of a program.

As to claim 16:

Foody et al further discloses:

"wherein each data structure associated with the inputs and outputs is described

in a separate header file which can be used by every object to be linked" (see col. 10,

lines 44-49).

As to claim 17:

Foody et al further discloses:

"wherein each object is a shared library which is dynamically linkable at runtime

by an ASCII configuration file containing names of the inputs and outputs of the objects"

(see col. 15, lines 41-60; see col. 19, lines 17-25; see col. 19, lines 8-15).

As to claim 18:

Foody et al discloses "defining input and output events that are fully distributable"

(see col. I, lines 60-67; see col. 2, lines 1-5; see col. 10, lines 39-49);

"configuring dynamic linkable, semantic-free software components by input and

output connections points" (see col. 1, lines 60-67; see col. 2, lines 1-5; see col. 10,

lines 39-49; see col. 12, lines 32-36);

"providing auto routed pattern based fully distributable events based on an event communication framework" (see Figure 2, an overview of the system architecture in accordance with preferred embodiment of the invention; see col. 8; lines 66-67; see col. 9, lines 1-27). One having the ordinary skill in the art at the time of the invention would have found it inherent in that events specifies the operations to be performed on an object and object systems have application programs that communicate with their contained objects and abide by certain input and output rules.
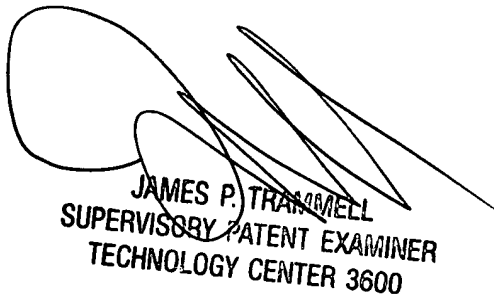
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel L. Greene whose telephone number is 703-306-5539. The examiner can normally be reached on M-Thur. 8am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P. Trammell can be reached on 703-305-9768. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

4/5/04

DLG

JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600